

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ROBERT D. MAWHINEY,

Plaintiff,

v.

WARREN DISTRIBUTION, INC.,

Defendant.

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CASE NO. 8:05CV466

ORDER

This matter is before the court on plaintiff's Motion to Rescind Plaintiff's Motion to Amend Original Complaint. (Filing No. 41). The motion is granted.

IT IS ORDERED:

1. That plaintiff's Motion to Rescind Plaintiff' Motion to Amend Original Complaint (Filing No. 41) is granted.
2. Plaintiff's Motion to Amend Original Complaint (Filing No. 36) is dismissed.

DATED this 7th day of August, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge